

# Exhibit 12



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# Transcript of Richard Wesel, Ph.D.

**Date:** March 17, 2025

**Case:** Headwater Research LLC -v- Verizon/T-Mobile/AT&T

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Michigan #8598 | Nevada #089F | New Mexico #566

Conducted on March 17, 2025

1	1	1	3
1	IN THE UNITED STATES DISTRICT COURT	1	A P P E A R A N C E S
2	FOR THE EASTERN DISTRICT OF TEXAS	2	
3	MARSHALL DIVISION	3	ON BEHALF OF THE PLAINTIFF
4		4	KRISTOPHER DAVIS, ESQUIRE
5	HEADWATER RESEARCH LLC,	5	JASON M. WIETHOLTER, ESQUIRE
6	Plaintiff,	6	JAMES N. PICKENS, ESQUIRE
7	vs. Civil Action No. 2:23-cv-00379-JRG-RSP	7	REZA MIRZAIE, ESQUIRE
8	T-MOBILE USA, INC., et al., (Lead case)	8	RYAN K. LUNDQUIST, ESQUIRE
9	Defendants.	9	Russ August & Kabat
10	-----	10	12424 Wilshire Boulevard
11	HEADWATER RESEARCH LLC,	11	12th Floor
12	Plaintiff,	12	Los Angeles, California 90025
13	vs. Civil Action No. 2:23-cv-00397-JRG-RSP	13	310.826.7474
14	AT&T SERVICES, INC., et al.,	14	kdavis@raklaw.com
15	Defendants.	15	jwietholter@raklaw.com
16	-----	16	jpickens@raklaw.com
17	HEADWATER RESEARCH LLC,	17	rmirzaie@raklaw.com
18	Plaintiff,	18	rlundquist@raklaw.com
19	vs. Civil Action No. 2:23-cv-00352-JRG-RSP	19	
20	VERIZON COMMUNICATIONS, INC., et al.,	20	
21	Defendants.	21	
22	-----	22	
23		23	
24	* CONFIDENTIAL - OUTSIDE ATTORNEYS' EYES ONLY *	24	
25	* CONTAINS SOURCE CODE *	25	
2	2	4	4
1	VIDEOTAPED DEPOSITION OF	1	A P P E A R A N C E S C O N T I N U E D
2	RICHARD WESEL, Ph.D.	2	
3	Monday, March 17, 2025	3	ON BEHALF OF THE DEFENDANTS T-MOBILE USA, INC.,
4		4	and VERIZON COMMUNICATIONS, INC.
5		5	BRIAN ROSENTHAL, ESQUIRE
6		6	CHARLIE SIM, ESQUIRE
7	Job No.: 576451	7	Gibson, Dunn & Crutcher LLP
8	Pages: 1 - 232	8	200 Park Avenue
9		9	New York, New York 10166
10		10	212.351.2339
11		11	brosenthal@gibsondunn.com
12	Videotaped deposition of RICHARD WESEL, Ph.D.,	12	csim@gibsondunn.com
13	produced as a witness at the instance of the Defendant,	13	
14	and duly sworn, was taken in the above-styled and	14	HANNAH BEDARD, ESQUIRE
15	numbered cause on Monday, March 17, 2025, from 11:53 a.m.	15	Gibson, Dunn & Crutcher LLP
16	to 9:06 p.m. Eastern Time, before Alison C. Webster, RPR,	16	1700 M Street, N.W.
17	CRR, RMR, RDR, CSR-6266 (Michigan); License No. 14559	17	Washington, D.C. 20003
18	(California); License No. 084.004953 (Illinois);	18	202.777.9579
19	CSR-12432 (Texas), reported by stenographic method, via	19	hbedard@gibsondunn.com
20	videoconference, pursuant to the Federal Rules of Civil	20	
21	Procedure and the provisions stated on the record or	21	
22	attached hereto.	22	
23		23	
24		24	
25		25	

Conducted on March 17, 2025

<p>17</p> <p>1 MR. ROSENTHAL: Exhibit Number 4 is</p> <p>2 Appendix C to that report.</p> <p>3 MARKED FOR IDENTIFICATION:</p> <p>4 EXHIBIT 4</p> <p>5 12:00 p.m.</p> <p>6 MR. ROSENTHAL: Exhibit Number 5 is</p> <p>7 Appendix D to that report.</p> <p>8 MARKED FOR IDENTIFICATION:</p> <p>9 EXHIBIT 5</p> <p>10 12:00 p.m.</p> <p>11 BY MR. ROSENTHAL:</p> <p>12 Q. Let me just stop there. The reports that you've --</p> <p>13 the report that you generated on February 13th, 2025,</p> <p>14 and the appendices and exhibits thereto constitute</p> <p>15 your infringement opinions. Correct?</p> <p>16 <b>A. Well, let's see. I believe there are -- there's a</b></p> <p>17 <b>rebuttal report and then a supplementary report, two</b></p> <p>18 <b>brief reports that also, you know, add to my</b></p> <p>19 <b>opinions.</b></p> <p>20 Q. Okay. So Exhibit Number -- let me -- let me start</p> <p>21 with just the February 13th reports.</p> <p>22 On February 13th, you served an</p> <p>23 infringement report in all three cases. Correct?</p> <p>24 <b>A. That's correct.</b></p> <p>25 Q. And the body of the report, as I understand it, was</p>	<p>19</p> <p>1 EXHIBIT 7</p> <p>2 12:03 p.m.</p> <p>3 <b>A. I mean, I haven't downloaded that exhibit yet, but, I</b></p> <p>4 <b>mean, that -- that is -- that's the last of the</b></p> <p>5 <b>reports, yes.</b></p> <p>6 <b>BY MR. ROSENTHAL:</b></p> <p>7 Q. And then in addition to what we've just identified,</p> <p>8 you also had a supplemental report, I believe.</p> <p>9 Correct?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. That was just served a few days ago. Right?</p> <p>12 <b>A. That's correct.</b></p> <p>13 MR. ROSENTHAL: Charlie, could you please</p> <p>14 put that in as an exhibit?</p> <p>15 MR. SIM: Yeah, give me a moment here.</p> <p>16 MR. ROSENTHAL: Thank you.</p> <p>17 MR. SIM: All right, that should be</p> <p>18 uploading now.</p> <p>19 MR. ROSENTHAL: That's Exhibit 14?</p> <p>20 MR. SIM: Correct.</p> <p>21 MR. ROSENTHAL: Did we put that in the</p> <p>22 Chat? There it is. Okay.</p> <p>23 MARKED FOR IDENTIFICATION:</p> <p>24 EXHIBIT 14</p> <p>25 12:05 p.m.</p>
<p>18</p> <p>1 intended to be identical across all three cases.</p> <p>2 Correct?</p> <p>3 <b>A. It's the same report submitted for all three cases,</b></p> <p>4 <b>and then Appendices A, B, and C provide things that</b></p> <p>5 <b>are specific for each defendant.</b></p> <p>6 Q. Okay. And so Appendix A was specific to Verizon,</p> <p>7 Appendix B was specific to T-Mobile, and Appendix C</p> <p>8 was specific to AT&amp;T. Correct?</p> <p>9 <b>A. Yes, that's correct.</b></p> <p>10 MR. ROSENTHAL: And then Exhibit Number 6</p> <p>11 to this deposition is the supplemental infringement</p> <p>12 report which is entitled Rebuttal Expert Report -- I'm</p> <p>13 sorry, it's entitled Rebuttal Expert Report of</p> <p>14 Dr. Richard D. Wesel Regarding Non-Infringing</p> <p>15 Alternatives, dated March 13th, 2025.</p> <p>16 MARKED FOR IDENTIFICATION:</p> <p>17 EXHIBIT 6</p> <p>18 12:02 p.m.</p> <p>19 BY MR. ROSENTHAL:</p> <p>20 Q. Correct?</p> <p>21 <b>A. Yes, that's correct.</b></p> <p>22 Q. Okay. And then Exhibit Number 7 is an errata that was</p> <p>23 served last night to your opening infringement report.</p> <p>24 Correct?</p> <p>25 MARKED FOR IDENTIFICATION:</p>	<p>20</p> <p>1 BY MR. ROSENTHAL:</p> <p>2 Q. And Exhibit Number 14 is your supplemental report with</p> <p>3 respect to infringement that is dated March 15th,</p> <p>4 2025. Correct?</p> <p>5 <b>A. Again, I haven't downloaded it, but I believe you.</b></p> <p>6 Q. Okay. So feel free to download or look at your own</p> <p>7 copies of them, but as I understand it, you served an</p> <p>8 expert report on February 13th, 2025. You served a</p> <p>9 rebuttal report on March 13th, 2025. You served a</p> <p>10 supplemental report on March 15th, 2025. And you</p> <p>11 served errata to your first report on March 16th,</p> <p>12 2025. Correct?</p> <p>13 <b>A. Yes, that's correct.</b></p> <p>14 Q. And those are all the submissions that you've made</p> <p>15 with respect to your opinions in this case. Correct?</p> <p>16 <b>A. That's correct.</b></p> <p>17 Q. And do those four documents and the appendices and</p> <p>18 exhibits thereto reflect all of the opinions that you</p> <p>19 intend to offer at trial?</p> <p>20 <b>A. Well, I believe so. Unless there's the need to file</b></p> <p>21 <b>another supplemental report on some issue that comes</b></p> <p>22 <b>up later, so... these are all the reports -- these</b></p> <p>23 <b>represent all of my opinions up to this time.</b></p> <p>24 Q. Great. And other than the errata that you served</p> <p>25 yesterday with respect to your February 13th report,</p>